

FOR UTILITY/DESIGN  
CIP/PCT NATIONAL/PLANT  
~~ORIGINAL/SUBSTITUTE/SUPPLEMENTAL~~  
DECLARATIONS

RULE 63 (37 C.F.R. 1.63)  
DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 21 2002

As a named inventor, I hereby declare that my residence, place of business and citizenship are as set forth below. I am the inventor, first and sole inventor of the subject matter disclosed below, and that all rights, first and sole inventor of such matter are vested below in the subject matter which is claimed and for which a patent is sought in the invention entitled:

PROCESS FOR PRODUCING OPTICALLY ACTIVE 4-HALO-3-HYDROXYBUTANOATE

Title of Invention

the specification of which such application is shown:

- A.  is attached hereto.  
 B.  was filed on December 6, 2001 as U.S. Application No. \_\_\_\_\_  
 C.  was filed as PCT International Application Number \_\_\_\_\_ on \_\_\_\_\_  
 and is applicable to U.S. or PCT application No. \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above, to determine the subject matter which I claim as my priority under Title 35, United States Code, Section 119(e) or Section 119(d) of any foreign application for a patent or patent-like certificate, or Section 37 of any PCT international application which is designated at least one country other than the United States of America, listed below, and I have also identified below, my checking the box, any foreign application for patent or patent-like certificate, or any PCT international application, on this invention filed by me or my legal representatives or assigns and having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

<u>Number(s)</u>	<u>Country</u>	<u>Day/MONTH/Year Filed</u>	<u>Date first Laid-open or Published</u>	<u>Date Patented or Granted</u>	<u>Priority NOT Claimed</u>
2000-372704	Japan	December 7, 2000			
2001-006144	Japan	January 15, 2001			

If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

<u>PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)</u>	<u>Status</u>		
<u>Appn. No. (series code/serial no.)</u>	<u>Day/MONTH/Year Filed</u>	<u>pending, abandoned, patented</u>	<u>Priority NOT Claimed</u>

As a named inventor, I hereby appoint the practitioners associated with Customer Number 22242, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and request that all correspondence and telephone calls in respect to this application be directed to FITCH, EVEN, TABIN & FLANNERY, Suite 1600, 120 South LaSalle Street, Chicago, Illinois 60603-3406, Telephone No. (312) 577-7000, Facsimile No. (312) 577-7007, CUSTOMER NUMBER 22242.



2 2 2 4 2 —

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity or enforceability of the application or any patent issued thereon.

Additional inventors, see attached pages.

Additional foreign prior art on attached page incorporated herein by reference.

(1) Full name of sole or one joint inventor:

Inventor's signature:

Date:

Residence:

Mailing Address:

Citizenship:

(2) Full name of sole or one joint inventor:

Inventor's signature:

Date:

Residence:

Mailing Address:

Citizenship:

(3) Full name of sole or one joint inventor:

Inventor's signature:

Date:

Residence:

Mailing Address:

Citizenship:

(4) Full name of sole or one joint inventor:

Inventor's signature:

Date:

Residence:

Mailing Address:

Hiroyuki ASAKO

(Given names first, with Family name last)

Hiroyuki Asako

January 21, 2002

Minoo-shi, Osaka, JAPAN

(City and State for U.S. Residents;  
City and Country for others)

4-9-17-325, Sakuragaoka, Minoo-shi,  
Osaka, JAPAN

Japanese

Kenji MATSUMURA

(Given names first, with Family name last)

Kenji Matsumura

January 21, 2002

Minoo-shi, Osaka, JAPAN

(City and State for U.S. Residents;  
City and Country for others)

4-9-17-208, Sakuragaoka, Minoo-shi,  
Osaka, JAPAN

Japanese

Masatoshi SHIMIZU

(Given names first, with Family name last)

Masatoshi Shimizu

January 21, 2002

Toyonaka-shi, Osaka, JAPAN

(City and State for U.S. Residents;  
City and Country for others)

2-10-5-403, Sonehigashi-machi,  
Toyonaka-shi, Osaka, JAPAN

Japanese

Nobuya ITO

(Given names first, with Family name last)

Nobuya Ito

January 21, 2002

Toyama-shi, Toyama, JAPAN

(City and State for U.S. Residents;  
City and Country for others)

1-2-18, Bunkyo-cho, Toyama-shi,  
Toyama, JAPAN

Japanese

(6) Full name of sole or one joint inventor:

Ryuhei WAKITA

(Given names first, with Family name last)

Ryuhei Wakita

January 21, 2002

Inventor's signature:

Date:

Residence:

Mailing Address:

Citizenship:

(6) Full name of sole or one joint inventor:

(Given names first, with Family name last)

Inventor's signature:

Date:

Residence:

(City and State for U.S. Residents;  
City and Country for others)

Mailing Address:

Citizenship:

(7) Full name of sole or one joint inventor:

(Given names first, with Family name last)

Inventor's signature:

Date:

Residence:

(City and State for U.S. Residents;  
City and Country for others)

Mailing Address:

Citizenship:

(8) Full name of sole or one joint inventor:

(Given names first, with Family name last)

Inventor's signature:

Date:

Residence:

(City and State for U.S. Residents;  
City and Country for others)

Post Office Address:

Citizenship:

Supplemental Data Priority Sheet

## ☒ Additional PCT application numbers:

<u>Prior PCT Application Number</u>	<u>Priority Filing Date</u>	<u>Certified</u>	<u>Copy Attached</u>	<u>U.S. or PCT Application</u>	<u>Patent Number</u>	<u>Date</u>
2001-026594	Japan February 2, 2001	□	□	□	□	□
2001-175175	Japan June 11, 2001	□	□	□	□	□
		□	□	□	□	□
		□	□	□	□	□
		□	□	□	□	□
		□	□	□	□	□

## ☐ Additional provisional application numbers:

<u>Prior Provisional Application Number</u>	<u>Priority Filing Date</u>
---	-----------------------------

## ☐ Additional U.S. or PCT international application numbers:

<u>Prior U.S. Application Number</u>	<u>Prior PCT International Application Number</u>	<u>U.S. or PCT International Application</u>	<u>Filing Date of Patent Number (if applicable)</u>
--------------------------------------	---	--	---